



REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 28/01/2020	Classification DECISION	Enclosure
Application for a Premises Licence Franco Manca, 5-8 Great Eastern Street, Hackney, London, EC2A 3EJ	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Franco Manca 2 UK Limited	In SPA Shoreditch Area
Date of Application 30/10/2019	Period of Application Permanent
Proposed licensable activity Recorded Music Late Night Refreshment Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Recorded Music	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-00:00
Supply of Alcohol	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-23:30 Sat 10:00-23:30 Sun 10:00-23:30

The opening hours of the premises	
Standard Hours: Mon 09:00-00:00 Tue 09:00-00:00 Wed 09:00-00:00 Thu 09:00-00:00 Fri 09:00-00:00 Sat 09:00-00:00 Sun 09:00-00:00	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 (Off-Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch)
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"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Planning Authority • Police • Other Persons

2. APPLICATION

2.1 **Franco Manca 2 UK Limited** has made an application for a premises licence under the Licensing Act 2003 to authorise:

- Supply alcohol for consumption on and off the premises
- Regulated entertainment
- Late night refreshment

2.2 The application is attached as Appendix A.

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 over the past 12 months

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have suggested removal of recorded music or noise mitigation measures that will be in place between 23:00 and 00:00 (Monday to Sunday). Have also suggested smoking on the pavement be restricted to a maximum of 5 people to use the space/designated smoking area at any one time.7.

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 (Appendix B1)	Informative
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, Special Policy Area and Cumulative Impact. ??
Licensing Authority	No representation received
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
1 representation received from local resident. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Special Policy Area.

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) and LP10 (Special Policy Areas – Dalston and Shoreditch) 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 Responsible Authority representations

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
9. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
10. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
11. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
12. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system.
 - g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
14. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
15. All instances of crime and disorder witnessed or brought to the attention of staff is to be reported by the Designated Premises Supervisor or responsible member of staff to Police

16. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
17. There shall be no glass, or open containers taken outside of the premises at any time.
18. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
19. All alcohol served shall be to seated customers only and ancillary to a substantial table meal.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 8 to 19 above have been proposed by the police.

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 individual's 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.

Acting Group Director, Neighbourhoods and Housing	Ajman Ali
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: Franco Manca, 5-8 Great Eastern Street, EC2A 3EJ	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

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 FRANCO MANCA 2 UK LIMITED

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description FRANCO MANCA 5-8 GREAT EASTERN STREET			
Post town	LONDON	Postcode	EC2A 3EJ

Telephone number at premises (if any)	UNDER APPP
Non-domestic rateable value of premises	UNDER CONSTRUCTION

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 FRANCO MANCA 2 UK LIMITED
Address FIRST FLOOR 50-51 BERWICK STREET LONDON W1F 8SJ
Registered number (where applicable) 07045067
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any) 0207 993 4040
E-mail address (optional) mbrowning@balaw.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	03	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)

Franco Manca is a popular nationwide chain of 50+ pizza restaurants where pizzas are made from slow baked sourdough in a traditional wood fired oven. The menu changes daily, with fresh meat and vegetarian pizzas as well as Italian specials such as meat and cheese plates. The concept is to provide freshly cooked food at an affordable price. Drinks include their own label beer, organic wine and famous homemade lemonade. Read more at <http://www.francomanca.co.uk/>.

Franco Manca currently have restaurants at 52 Broadway Market and Stoke Newington.

The premises are situated on the ground and basement, with customer toilets, staff and kitchen facilities in the basement.

The restaurant is fully seated and served, with limited alcohol which is always served as ancillary to a full meal and Challenge 21 in place. The application is for normal restaurant hours, and conditions commensurate with a restaurant are offered as part of this application. The premises are also very family friendly.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	1000	0000			
Tue	1000	0000	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	1000	0000			
Thur	1000	0000	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	0000			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	2300	0000			
Tue	2300	0000			
Wed	2300	0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	2300	0000			
Fri	2300	0000			
Sat	2300	0000	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)		
Sun	2300	0000			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	1000	2330			
Tue	1000	2330			
Wed	1000	2330			
Thur	1000	2330			
Fri	1000	2330			
Sat	1000	2330			
Sun	1000	2330			
			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 NABIL MANKARIOUS	
Date of birth 24.03.1967	
Address 42 DUNBAR AVENUE BECKENHAM KENT	
Postcode	BR3 3RQ
Personal licence number (if known) PERS1474	
Issuing licensing authority (if known) LAMBETH BC	



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	0900	0000	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	0900	0000	
Wed	0900	0000	
Thur	0900	0000	
Fri	0900	0000	
Sat	0900	0000	
Sun	0900	0000	

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 a full description of the premises above.
Restaurant conditions are offered, where the sale of alcohol is ancillary to food.
Whilst the premises do fall within the Cumulative Impact area, we respectfully submit that Franco Manca is of negligible impact given (a) that it is fully seated and served (b) alcohol is very much ancillary to this food-led business (c) departure is staggered (d) patrons are not drunk and (e) the premises close at a reasonable time and are very family friendly.

b) The prevention of crime and disorder

Close liaison with Local CPO. Comprehensive CCTV with 31 days recording. Refusals and incident log. No customers to leave the premises with open containers.

c) Public safety

Public safety is taken seriously and H&S, RIDDOR and fire risk assessments will be kept up to date. Staff are comprehensively trained and a record is kept of all incidents and accidents. Contact details for local taxi firms will be made available.

d) The prevention of public nuisance

Franco Manca is always particularly aware of its neighbours to ensure that it does not cause noise nuisance, that rubbish collections are properly managed and that all plant kept in good order.
Clear, prominent and legible notices shall be displayed at the exit requesting the public to respect the needs of the local residents and to leave the premises and area quietly.

e) The protection of children from harm

Challenge 21 to be fully implemented. Staff to be trained on their responsibilities.

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	29 OCTOBER 2019
Capacity	BA LAW OBO THE APPLICANTS

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) MARK BROWNING BA LAW 59 PELHAM STREET			
Post town	LONDON	Postcode	SW7 2NJ
Telephone number (if any)	07956 415441		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mbrowning@balaw.co.uk			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:

NOTES
 All dimensions must be checked on site and not varied from the drawing.
 The drawing is the property of Shu Art Consulting Ltd and they reserve the right to amend or alter the drawing without notice without the written permission of Shu Art Consulting Ltd.

FIRE SAFETY STANDARDS AND TECHNICAL NOTES FOR LICENSING APPLICATIONS

- 1) DOORS AND PARTITIONS REQUIRED TO BE FIRE RESISTING ARE TO BE IN ACCORDANCE WITH BS 476, AS AMENDED UNLESS TESTED IN ACCORDANCE WITH BS 476, SECTION 31.1, BE FITTED WITH A SMOKE SEAL.
- 2) FIRE RESISTING DOORS REQUIRED TO RESIST THE PASSAGE OF SMOKE AT AMBIENT TEMPERATURE CONDITIONS SHOULD UNLESS TESTED IN ACCORDANCE WITH BS 476, SECTION 31.1, BE FITTED WITH A SMOKE SEAL.
- 3) THE FIRE ALARM SYSTEM IS TO COMPLY WITH BS 5839 PART 1. THE ATTENTION OF THE DESIGNING ENGINEER CONSULTANT WITH THE FIRE AUTHORITY.
- 4) THE EMERGENCY LIGHTING INSTALLATIONS TO COMPLY WITH BS 5266 PART 1. THE ATTENTION OF THE DESIGNING ENGINEER SHOULD BE DRAWN TO PARAGRAPH 4.3 (CONSULTATION AND RECORDS) OF BS 5266 PART 1, WHICH REQUIRES CONSULTATION WITH THE FIRE AUTHORITY.
- 5) FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO CONFORM TO CURRENT BRITISH STANDARD, BS 5449, PART 1: 1999.
- 6) ILLUMINATED EXIT SIGNS ARE TO CONFORM TO BS 5449, PARTS 1 & 3.
- 7) FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH BS EN 143 BS 7861, BS 7861, BS 7897 AND BS 5256.
- 8) UNPROTECTED SEATING FURNITURE MUST SATISFY, AS A MINIMUM STANDARD, LONDON SOURCE 6 (CIGARETTE TEST) OF UPHOLSTERED SEATING BY SMOULDERING AND FLAMING IGNITION SOURCES. ASSESSMENT OF THE SEAT/FURNITURE IS IN ORDER TO SECURE COMPLIANCE WITH THE ABOVE STANDARDS THE FABRIC SUBMITTED FOR TEST HAS BEEN TREATED BEHINDHAND WITH A FIRE RETARDANT PRODUCT. THE TESTING LABORATORY MUST BE INSTRUCTED TO SUBJECT THE FABRIC TO A TYPICAL CIGARETTE TEST. IN ADDITION TO THE TYPICAL CIGARETTE TEST, THE LABORATORY SHOULD ALSO CARRY OUT A COPY OF THE LABORATORY TEST REPORT FROM AN ACCREDITED TESTING LABORATORY IDENTIFYING COMPLIANCE OF THE FABRIC WITH THE ABOVE STANDARDS. THE TESTING LABORATORY MUST BE INSTRUCTED TO SUBJECT TO BS 5867, PART 2 - SPECIFICATION FOR FABRICS FOR CURTAINS AND DRAPES - FLAMMABILITY REQUIREMENTS INSTALLED IN THE PREMISES.
- 9) CURTAINS AND OTHER TEXTILE FINISHINGS MUST BE INHERENTLY FLAME RETARDANT OR BE TREATED WITH A DURABLE FLAME RETARDANT PRODUCT. THE TESTING LABORATORY MUST BE INSTRUCTED TO SUBJECT TO BS 5867, PART 2 - SPECIFICATION FOR FABRICS FOR CURTAINS AND DRAPES - FLAMMABILITY REQUIREMENTS INSTALLED IN THE PREMISES.
- 10) ARTIFICIAL FOULAGE AND OTHER DECORATIVE EFFECTS ARE TO BE RETAINED TO THE SATISFACTION OF THE FIRE AUTHORITY.
- 11) FINISHES AND SURFACE FINISHES OF WALLS AND CEILING ARE TO HAVE A SURFACE SPREAD OF FLAME RATINGS AS SET OUT IN BS 5867, PART 2 - SPECIFICATION FOR FABRICS FOR CURTAINS AND DRAPES - FLAMMABILITY REQUIREMENTS.
- 12) CERTIFICATES OF ANALYSIS FOR THE ABOVE TESTS WILL BE REQUIRED IN RESPECT OF ITEMS NAMED 3, 4, 6, 8 AND 9 ABOVE AND MAY BE REQUIRED FOR TEST 2.
- 13) OUTER DOORS TO ENTRANCE LOBBY ARE TO BE HELD OPEN AT ALL TIMES DURING PUBLIC TRADING PERIODS.
- 14) ALL FIRE ESCAPE DOORS ARE TO INCORPORATE PANIC TYPE OPERATING LATCHES FOR EMERGENCY ESCAPE.
- 15) FIRE ALARM SYSTEMS TO BE INTERLINKED WITH LANDLORDS FIRE ALARM FOR BEST OF BUILDING.

GROSS FLOOR AREA		COVERS	
GROUND FLOOR = 191 m ² (1739.92)	BASEMENT = 108 m ² (1168.92)	GROUND FLOOR = 117 m ² (1259.92)	BASEMENT = 0 m ² (0.00)

Total area - 3541 sq.ft (329 m²)
 BOH area - 212 m²
 FOH area - 117 m²
 Internal covers - 74
 External covers - 00



Proposed new licensed trading area 117 m² (1256 Sq.Ft)

Revisions	
No.	Date
A.	23/08/2019



7 The Workshops, 10 Blandford Business Park, Cambridgeshire
 The Meadows, 715 000 Fax: 01223 718522
 E: info@shuartconsulting.co.uk
 W: www.shuartconsulting.co.uk

JOB Name	FRANCO MANCA 2
Job Address	5-9 Great Eastern Street, London, EC2A 3EJ
Drawing Title	Proposed Licensing Layout
Status	For Information
Scale	1:500 @ A3 1:100 @ A3
Drawn By	SK
Checked	KS
Drawing No.	FM/GES/03

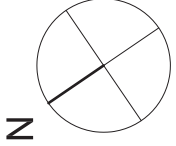
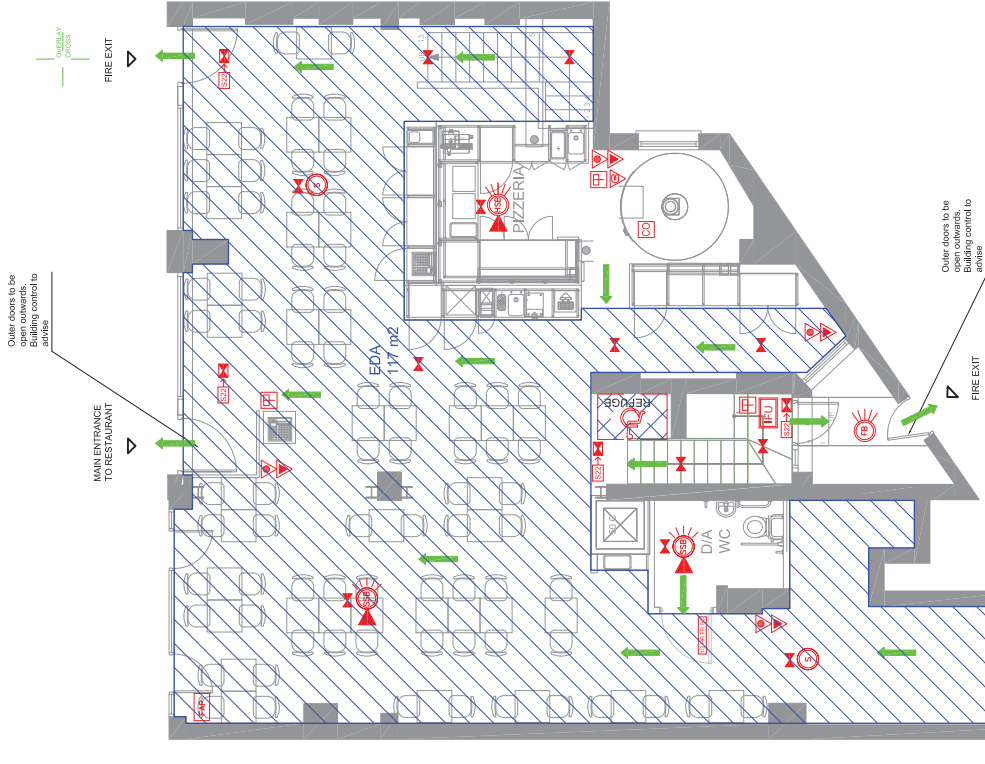
UNISEX CUSTOMER WCS



KEY TO SYMBOLS	DESCRIPTION
[FA]	FIRE ALARM PANEL
[FC]	FIRE ALARM CALL POINT
[S]	SMOKE DETECTOR
[S5]	SMOKE DETECTOR WITH BASE MOUNTED SOUNDER
[S6]	HEAT DETECTOR WITH BASE MOUNTED SOUNDER
[CC]	AREA COVERED BY AUTOMATIC CARBON MONOXIDE DETECTORS
[C]	CARBON MONOXIDE (CO2) FIRE EXTINGUISHER
[W]	WATER FIRE EXTINGUISHER
[F]	FOAM FIRE EXTINGUISHER
[B]	FIRE BLANKET

PROPOSED BASEMENT

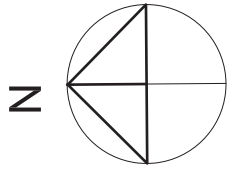
PROPOSED GROUND FLOOR



NOTES

All Dimensions must be checked on site and not relied from the drawing.
 This drawing is the property of SFA Construction and Property Limited and they reserve the right to amend or discontinue it without notice to any unauthorised party without the written permission of SFA Construction and Property Limited.

18/8 m2



Location Plan 1:1250



Revisions	
No.	Date

SFA Construction and Property
 Consultancy
 7 The Warehouse, Bull Mill Business Park, Chesham
 Bucks HP85 7LS
 Tel: 01295 715 000 Fax: 01295 716852
 Email: info@sfaconstructionandproperty.co.uk
 Web: www.sfaconstructionandproperty.co.uk

Job Name	FRANCO MANCA 2
Job Address	5-9 Great Eastern Street, London, EC2A 3EJ
Drawing Title	Location Plan
Status	For Information
Scale	1:1250@A4
Drawn By	SK
Checked	KS
Drawing No.	FM/GES/08

APPENDIX B1

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Franco Manca, 5-8 Great Eastern Street, EC2A 3EJ
Applicant name	Mark Browning

COMMENTS

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

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

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

The application proposes for a new premises license. The premises is used as a Pizza Restaurant under the Licensing Act 2003

The following licensable activities proposed are:

Recorded music Mon-Sun 10:00 to 00:00
Late night refreshment Mon-Sun 23:00 to 00:00
Supply of alcohol Mon-Sun 10:00 to 23:30
Hours premises are open to the public Mon-Sun 09:00 to 00:00

Planning Ref: 2013/2059 (5 - 7 Great Eastern Street) Change of use from A1 retail to A4 Bar. Erection of rear external extractor/ducting. Hours of opening 11 am -12 pm Monday to Sunday. (Refuse Permission)

A search of Council's planning records has found no planning approval for the usage of the premises as a restaurant.

If the applicant would like formal confirmation from Council that the usage of the premises is lawful, it is recommended that they seek planning permission. The applicant is reminded that licensing approval does not grant planning approval. Operation of the premises without appropriate planning approval is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground
Permitted use	N/A
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative

A search of Council's planning records has found no planning approval for the usage of the premises as a restaurant.

If the applicant would like formal confirmation from Council that the usage of the premises is lawful, it is recommended that they seek planning permission. The applicant is reminded that licensing approval does not grant planning approval. Operation of the premises without appropriate planning approval is unlawful and may result in enforcement action

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

Signed	
Name	John Tsang
Date	05/11/19

**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	Franco Manca 5-8 Great Eastern Street London EC2A 3EJ
NAME OF PREMISES USER	Franco Manca 2 UK Limited

COMMENTS

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

- 1) the prevention of crime and disorder ◆
- 2) public safety ◆
- 3) the prevention of public nuisance ◆
- 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 Franco Manca, 5-8 Great Eastern Street;

This premises is located within the boundaries of the Shoreditch Special Policy area (SPA) the SPA has been recognised as an area where there is a high density of licensed premises. It is likely that due to the location of this premises it is likely that without effective provisions in place the venue is likely to contribute to the negative cumulative impact in the area.

LP10 from the London Borough of Hackney Statement of Licensing policy outlines that it is the council's policy where a relevant representation is made to any application within the SPA the applicant will need to demonstrate that the proposed activity will not contribute to the negative cumulative impact in the area.

With the above in mind police would request that the applicant consider reducing the hours that have been applied for in order to reflect those laid out in LP3 and LP4 of the London Borough of Hackneys Statement of Licensing Policy.

Police have attached a set of proposed conditions that incorporate many of these are derived from those laid out in the operating schedule.

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)

Proposed Conditions for
5-8 Great Eastern Street

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
2. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
3. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
5. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a) All crimes reported:
 - b) All ejections of patrons
 - c) Any complaints received.
 - d) Any incidents of disorder.
 - e) Seizure of drugs or offensive weapons.
 - f) Any faults in the CCTV system.
 - g) Any refusal of the sale of alcohol.
 - h) Any visit by a relevant authority or emergency service.
7. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.

8. All instances of crime and disorder witnessed or brought to the attention of staff is to be reported by the Designated Premises Supervisor or responsible member of staff to Police
9. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
10. There shall be no glass, or open containers taken outside of the premises at any time.
11. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. All alcohol served shall be to seated customers only and ancillary to a substantial table meal.



Application 105582 - Franco Manca - 5-8 Gt Eastern Street

1 message

11 November 2019 at 15:18

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

I am a local resident. While not opposed to this applicant, I feel strongly that the hours of operation of the proposed pizzeria should be reduced and that off sales of alcohol should not be permitted.

The application makes clear that they wish to operate until midnight, seven days a week. This would bring a risk of late-night disturbance to local residents, from ventilation equipment, waste disposal, departing patrons etc. The advertised hours for Franco Manca in Broadgate are 10pm (11pm on Thursday and Friday). Pizza Pilgrims on Shoreditch High Street close at 10pm (10:30 on Thursday and Friday, 9:30 on Sunday). I suggest that 10:30pm would be a suitable closing time for this location.

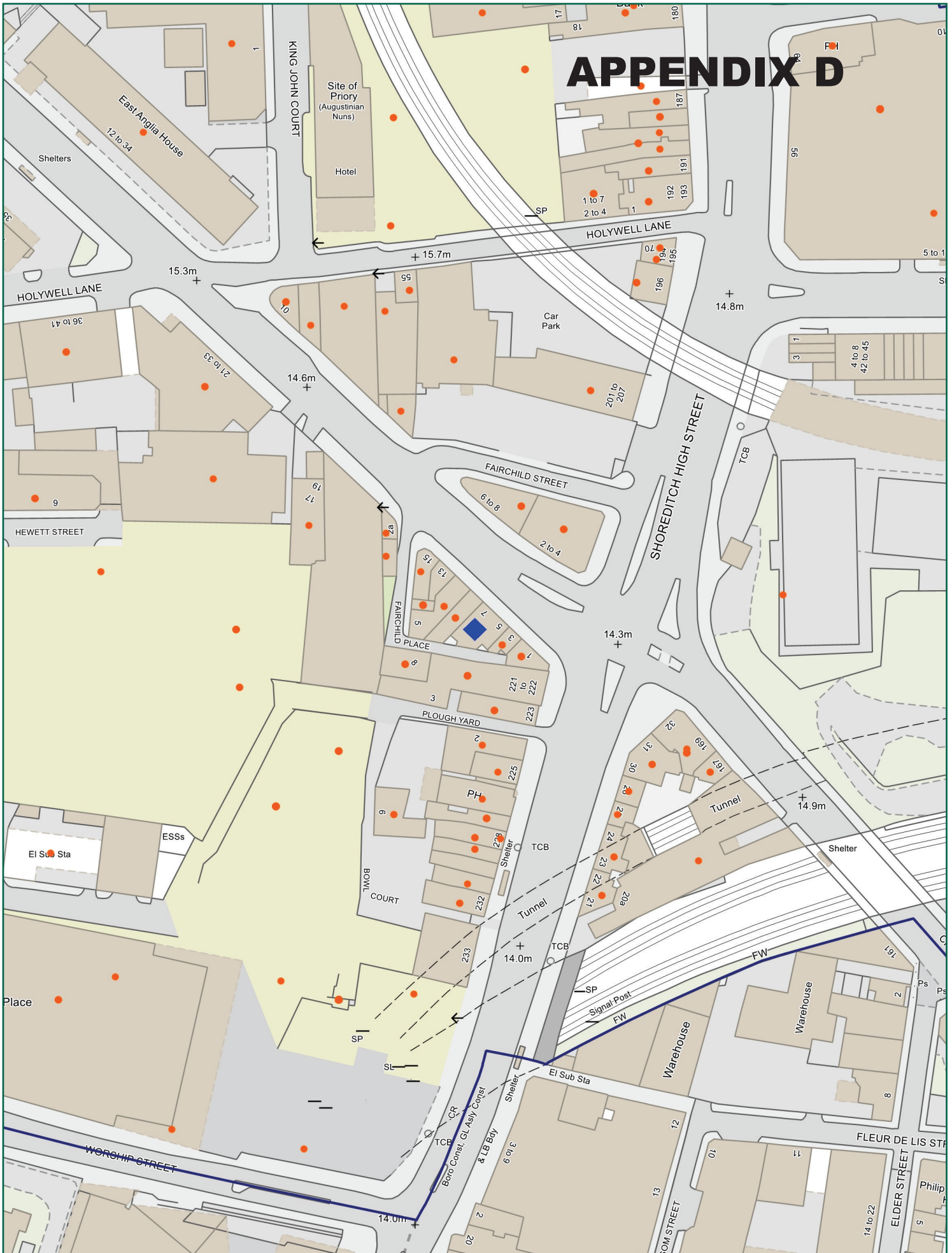
For the recorded music, a condition should be made that it is not audible in any neighbouring residence.

Granting a licence for the supply of alcohol would require an exception to the presumption against new licences in the SPA. In this case it would be acceptable if there are no off sales and no sale of alcohol without food, and if the licence would not be transferrable to another operator.

Regards,

[REDACTED]
[REDACTED] Fairchild Place EC2A [REDACTED]

APPENDIX D



Scale: 1:1250 at A4



Ref:
20 January 2020

Produced by: unspecified
email:

please specify copyright statement